

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**M E M O R A N D U M**

Honorable Garland E. Burrell, Jr.  
United States District Judge  
Sacramento, California

**RE: James Frederick SMITH  
Docket Number: 2:00CR00144-01  
REQUEST FOR CONTINUANCE**

Your Honor:

On July 15, 2005, a violation petition was filed on the above-named releasee. The violations alleged in the petition were for illegal drug use and failing to report for urine testing. The releasee is scheduled for an initial court appearance before Your Honor on July 22, 2005.

On July 18, 2005, the releasee voluntarily admitted himself into an outpatient drug treatment program through Kaiser Permanente. The program is an intensive day treatment program that consists of four phases and lasts approximately one year. The first 21 days of the program are critical and he cannot miss any of the program during that time frame. The probation officer has verified the releasee's participation in this program and believes he would benefit from the program. Therefore, it is requested that the initial court appearance scheduled for July 22, 2005, be continued until August 12, 2005. If the releasee fails to comply with the program, the Court will be notified and a request to advance the court date will be made.

**Re: James Frederick SMITH**  
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**REQUEST FOR CONTINUANCE**

The United States Attorney, defense counsel, and the releasee have been contacted, and have no objections to this continuance.

Respectfully submitted,

/s/ Shari R. Simon

**SHARI R. SIMON**  
**United States Probation Officer**

Dated: July 19, 2005  
Roseville, California  
srs:cd

**REVIEWED BY:** /s/ Richard A. Ertola  
**RICHARD A. ERTOLA**  
**Supervising United States Probation Officer**

cc: Kenneth Melikian  
Assistant United States Attorney

Scott L. Tedmon  
Defense Counsel

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AGREE:   X  

DISAGREE:                     

DATED: July 19, 2005

/s/ Garland E. Burrell, Jr.  
GARLAND E. BURRELL, JR.  
United States District Judge